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ABSTRACT

A Senate hearing considered five bills related to the national parks. Of interest to the education community is S. 2232, which would establish Little Rock Central High School National Historic Site in Arkansas as a unit of the National Park Service. In 1957 the school became a center of controversy over school desegregation when nine African American students attempted to enroll at Central High. Senator Dale Bumpers from Arkansas spoke of the importance of recognizing the site, already on the National Register of Historic Places as the location of the first real test of desegregation in the wake of the "Brown v. Board of Education" decision. Everett Tucker, III, President of the Central High Museum spoke in support of the measure, as did Ernest Green, one of the nine students who integrated the school with federal support. Both speakers noted that the nine students were an inspiration to America because of their poise in a crisis. Although the school would be designated as a National Parks site, it would continue to be a functioning school, administered by the Little Rock school district. The hearing report also contains testimony by witnesses related to the other bills and the prepared statements of all witnesses. (SLD)

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S. HRG. 105–751

LAND AND WATER CONSERVATION; HAWAII VOLCANOES NATIONAL PARK; LITTLE ROCK CENTRAL HIGH SCHOOL; AND ARCHES NATIONAL PARK

ED 432 634

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL PARKS, HISTORIC PRESERVATION, AND RECREATION

OF THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

ON

S. 1333
S. 2106
S. 2129
S. 2232
H.R. 2283

JULY 9, 1998

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LAND AND WATER CONSERVATION; HAWAII VOLCANOES NATIONAL PARK; LITTLE ROCK CENTRAL HIGH SCHOOL; AND ARCHES NATIONAL PARK

THURSDAY, JULY 9, 1998

U.S. SENATE,
SUBCOMMITTEE ON NATIONAL PARKS,
HISTORIC PRESERVATION, AND RECREATION,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 p.m. in room SD–366, Dirksen Senate Office Building, Hon. Craig Thomas, presiding.

OPENING STATEMENT OF HON. CRAIG THOMAS, U.S. SENATOR FROM WYOMING

Senator THOMAS. I call the committee to order, please. I would like to begin with thanking our witnesses for attending today's hearing.

The subcommittee will consider five bills. S. 2232 would establish Little Rock Central High School National Historic Site in the State of Arkansas as a unit of the National Park System. In the 1950's, Little Rock High School became a symbol of the controversy over school desegregation when nine African-American students attempted to enroll at Central High School.

S. 2106 and H.R. 2283 would expand the boundaries of Arches National Park to include an area called Lost Spring Canyon. Approximately 3,000 acres would be transferred from the State of Utah and the Bureau of Land Management to the National Park Service.

S. 2129 would allow the National Park Service to acquire 1,951 acres of privately owned property to be included within the boundaries of the Hawaii Volcanoes National Park. The land is privately owned and located adjacent to the park.

Last but not least, the enactment of S. 1333 would amend the Land and Water Conservation Act of 1965 to allow national parks that cannot charge entrance fees to retain revenues from other fees and charges.

Before we begin, I would urge that you consider limiting your presentation to 5 to 7 minutes. You may wish to summarize your prepared statements and they will be made a full part of the record.

The official record will remain open for 2 weeks for those who desire to submit a statement for the record or to augment their testimony afterwards.

So let us begin, welcoming the distinguished Senator from Utah, Senator Bennett. Happy to have you here, sir.

[A prepared statement of Senator Thompson follows:]

PREPARED STATEMENT OF HON. FRED THOMPSON, U.S. SENATOR FROM TENNESSEE

Mr. Chairman, thank you for agreeing to hold a hearing on S. 1333. As Senator Frist has stated, this bill would allow the Great Smoky Mountains National Park to retain all of the fees raised within the Park. Under the current national park fee demonstration project, the Smokies Park is permitted to retain only 80 percent of the fees raised within the Park.

Tennessee and North Carolina are blessed to share one of the most beautiful natural resources in the world—the Great Smoky Mountains National Park. This Park is often referred to as the crown jewel of the national park system, and for good reason.

There are many exciting things happening in the Smokies today, such as the new "Discover Life in America" inventory initiative to catalogue the Park's more than 100,000 plant and animal species. This first-of-its-kind project for a national park will bring together scientists and academics from around the world, who will make available over the Internet the valuable information they are amassing on a wide variety of plant and animal species.

But I have also seen first-hand the many challenges facing the Park. The increasing number of visitors (almost 10 million last year) and the expanded visitation season have brought greater infrastructure, maintenance and personnel needs. Park resources are strained.

Although the Great Smoky Mountains National Park receives twice as many visitors per year as the second most visited national park—the Grand Canyon—it receives less in appropriated funding than the Grand Canyon. In fiscal year 1998, the Grand Canyon received $16.1 million, compared to the Smokies' budget of $12.1 million.

Mr. Chairman, the Grand Canyon will also be able virtually to double its appropriated budget this year because it charges an entrance fee under the fee demonstration program. The Park Service estimates that the Grand Canyon will raise an additional $15 million primarily from its entrance fee.

The Great Smoky Mountains National Park is placed at a disadvantage compared with other national parks, because it is not permitted to charge an entrance fee. The deed ceding the land to the federal government for the Park prohibits the federal government from charging any entrance fees. The Smokies is the only major national park that does not charge an entrance fee.

The Great Smoky Mountains National Park is fortunate to have an active, highly successful Friends group working on its behalf, and Park is able to raise additional resources through modest campground fees, fees for hayrides and for viewing a video about the Park. However, the Park is hamstrung in its fundraising efforts because it cannot charge an entrance fee.

S. 1333 and the House companion bill, which was introduced by Congressman Jimmy Duncan, are simply an attempt to address this funding inequity. Allowing the Great Smoky Mountains National Park to retain all of the fees raised within the Park would add an estimated $240,000 to the Park's budget this year. This may not be a great sum of money, but it will help fund needed projects within the Park—again, the most visited national park in the country.

I recently founded the Great Smoky Mountains National Park Congressional Caucus. The Caucus is made up of Senators and Congressmen from Tennessee and North Carolina who are responsible for representing the interests of the Smokies. We are working to raise the profile of the Park and to increase the resources that flow into the Park. Passage of S. 1333 is a priority for the Smokies Caucus.

Thank you for bringing attention to this important issue for the Great Smoky Mountains National Park. We appreciate your help in preserving this treasured natural resource for future generations.

STATEMENT OF HON. ROBERT F. BENNETT, U.S. SENATOR FROM UTAH

Senator BENNETT. Thank you, sir. I appreciate your holding this hearing, Mr. Chairman, and I want to express my personal gratitude to you for your dogged interest in these matters. I know there are many issues that a lot of folks think are relatively minor, and the fact that you as chairman of this subcommittee have followed through on all of them demonstrates a diligence that I wish all of us could live up to.

I am pleased to be here today to testify in support of my bill, S. 2106, the "Arches National Park Expansion Act of 1998." The House version of the bill, H.R. 2283, which was co-sponsored by Congressman Chris Cannon, has passed the House and it is identical with the bill that I offered in the Senate.

Arches National Park was first created in 1929, and it is one of the greatest assets in the National Park System, encompassing as it does some of the most unique and recognizable lands in the Southwest. I say recognizable because the image of Delicate Arch has been seen in movies, books, commercials, on posters, welcome signs, and most recently, Utah is celebrating its centennial, it has been put on license plates. I have it on my license plate and I often get compliments. This is not something you look for, but I get compliments on my license plate because of this feature of Arches National Park.

There are incredibly stunning vistas with contrasting colors. Visitors can view sweeping desert valleys, maze-like rock formations, and rugged gorges, all within a few minutes drive or walk.

It has been such a part of Utah and our State's heritage that I was somewhat surprised to learn that the park boundaries were not truly well drawn in the first instance, and I congratulate Congressman Cannon for bringing this to our attention as he 18 months ago first raised the possibility of bringing Lost Spring Canyon into the park boundaries.

As the chairman has said, S. 2106 authorizes 3,140 acres, including beautiful and unique Lost Spring Canyon, as a new part of Arches National Park. This will improve the park's natural boundaries, make it easier to manage, and it will enhance the protection of at least ten freestanding arches, narrow side canyons that are 300 feet deep, some additional domes and balanced rocks in this area.

Now, the lands that will be included as part of the park as a result of this bill are currently under the jurisdiction of the BLM, with the exception of one section that is owned by the State of Utah. The Federal lands are currently protected as part of wilderness study areas. Initially there was some concern on the part of those who are focusing on wilderness that transferring these lands to the Park Service might eliminate the protective status. One of the things that I like about this bill is that it demonstrates that people can get together and talk about these things instead of yell back and forth, and it has now been determined that the bill would ensure the wilderness value of these lands. They can be protected as much by the Park Service as they can be protected by the BLM, and no roads or campground construction will occur in the areas that are wilderness study areas.

In addition, language has been included to protect the valid existing rights that exist within the current BLM lands and existing rights of way have been protected, as well as existing grazing rights.

Finally, the bill provides for a prompt land exchange that would trade the State parcel of lands for lands elsewhere in the same township. Having spoken with the BLM and the School and Institutional Trust Lands Administration, or SITLA, I find this is truly an equal value exchange.

Rarely, Mr. Chairman, do all parts of a puzzle fit as neatly as this land exchange. The Park Service expands its park boundaries along sensible geographic lines and that increases the manageability of the park, the BLM is freed from the burden of overseeing a difficult parcel of wilderness study area, and an equal exchange takes place between the State and the Federal Government. Neat package, all tied together.

So, as I say, I am as pleased with the process and the willingness of all of the various groups—environmental, State, county, and Federal officials—to get together and produce this result as I am with the result itself. A minimum of acrimony and difficulty has gone into this effort.

We have legislation that is not only good for Arches, it is also an example of how to reach consensus among people of good faith. If you pass this bill, the expansion of the park will enhance the visitors' experience, it will protect important geological treasures, and it will serve as a cooperative effort among many groups for the preservation of this asset.

It is my pleasure to seek my colleagues' support for this legislation. Thank you.

Senator THOMAS. Thank you very much, Senator.

We have been joined by the Senator from Colorado. Do you have any questions or statements, sir?

STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL, U.S. SENATOR FROM COLORADO

Senator CAMPBELL. I am sorry I did not hear the whole comments from our colleague from Utah, Mr. Chairman. But he gave a very vivid description of a beautiful part of our country. Living just 4 or 5 hours east of there, it made me homesick.

But I am very supportive of this bill. I think it is a good example of an issue that has been pretty well negotiated out by all factions and all people before it came here before us.

Thank you.

Senator THOMAS. We have also been joined by the distinguished ranking member, who is occupied with something else at the moment.

Senator BUMPERS. Mr. Chairman, I have a statement on the Central High School legislation, but in order to accommodate Senator Bennett I will forego delivering that beautiful statement until after he has finished his testimony and any questions that might be asked.

Senator THOMAS. Senator Akaka has joined us as well. Do you have any statement, Senator? Is yours on your bill, Senator?

Senator AKAKA. Yes.

Senator THOMAS. Perhaps we could go ahead and question these gentlemen and get them on their way.

I had a couple questions, Senator. There are State lands involved here?

Senator BENNETT. That is correct.

Senator THOMAS. So those parcels then will be traded with the State and you will block it all up?

Senator BENNETT. Yes. There will be a swap of equal value with other lands, BLM lands elsewhere, so that the State will be made whole and the amount of land put in the national park will not be encumbered with State ownership.

Senator THOMAS. I see.

Senator CAMPBELL. Mr. Chairman, I do not find it in here, but is it also equal acreage?

Senator BENNETT. Equal value.

Senator THOMAS. Equal value, I think.

Senator CAMPBELL. Equal value.

Senator BENNETT. Yes.

Senator CAMPBELL. What is the difference in acreage?

Senator BENNETT. I will have to supply that to the committee. I do not have it currently at my fingertips.

Senator THOMAS. So generally there will be, other than administrative and so on, no real cost to this exchange from BLM to the Park Service?

Senator BENNETT. That is correct.

Senator THOMAS. If there are no further questions, Senator, thank you for being with us.

Senator BENNETT. I thank the chair and the committee for its courtesy.

Senator THOMAS. We will ask the Senator from Tennessee to join us, then. Welcome, Senator Frist.

STATEMENT OF HON. BILL FRIST, U.S. SENATOR FROM TENNESSEE

Senator FRIST. Thank you, Mr. Chairman. Mr. Chairman, I am grateful for the opportunity to testify before the committee on behalf of the Great Smoky Mountains National Park. Let me say at the outset that over our recent recess I spent 4 days there in the Smoky Mountains camping with my wife and my two children in a beautiful place called Cade's Cove. We were camping with tents there and then hiked on Monday to the top of Mount Lecant, which is a 6,500 foot peak there with beautiful vistas, and a real national resource that I appreciate even more having gone back there once again. But also it gave me a much clearer picture of the strains under which that particular park functions today.

The Great Smoky Mountains National Park is the most visited national park in the country, with almost 10 million visitors every year. Those numbers continue to rise. In fact, while I was there I learned that visitation has increased by 5 percent this year compared to last year.

However, the Great Smoky Mountains National Park is handicapped by the fact that it cannot, it cannot, collect an entrance fee as other better funded and less visited national parks do. It cannot collect an entrance fee.

You couple this double strain of high visitation, more than twice what any other national park sees in one year, with that second element, that is an absence of the ability to collect an entrance fee, and you see, and I saw firsthand, what a tremendous toll is taken on the park and its infrastructure.

The park currently has about a $6 million maintenance backlog of trails, of roads, and building repairs as we speak. The proposal I have put forward seeks to relieve in part this shortfall while at the same time avoiding further demands on our National Park Service appropriated funds. In 1997 the park collected $1.2 million in recreation and user fees. Of that amount, under the demonstration program the park kept 80 percent or about $960,000. This year the Smokies will collect about somewhere between $1.3 million and $1.4 million. Under the current user fee demonstration program, obviously, the park can only keep about 80 percent.

My believe would allow the Smokies to keep 100 percent of that recreation and user fee amount, and that would in turn provide about 300, $400,000 additionally for the use within the park.

This particular proposal has broad support among a diverse group of park support groups, including the friends group there, a very effective group called the Friends of the Smokies, as well as the National Parks and Conservation Association.

Now, it is my understanding that the National Park Service opposes this legislation, and the comments that I have heard are that they feel it is unnecessary. I disagree with that and that is why I am here today to ask for your consideration and support on this bill.

Mr. Chairman, I am a strong supporter of the user fee demonstration program. When I paid my $15 for my campsite last week it was a good feeling to know that 80 percent of that would stay right there. I took advantage of the ranger education programs there last year. That was the intent of the program and it has been very successful.

I have supported your Vision 2020 National Parks Restoration Act, which among its provisions extends the program to the year 2005. However, I want to impress upon this subcommittee the uniqueness of the situation in the Smokies and why this legislation is needed. It really just represents one small but definite step towards addressing the shortfall in funding in the Smokies.

I have already mentioned that it is the most visited national park, with 10 million visitors. The Great Smokies receive $12 million in appropriated funds. It is always dangerous to compare park to park and I hesitate to do that, but I think it is useful because it helps build the case why this additional $300,000 or that 20 percent of the user fees that are charged being able to stay there, what a difference it can make.

If you look at Yellowstone, Yellowstone has about a third the number of visitors of the Great Smoky Mountains each year, but it receives twice the amount, almost twice the amount in appropriated funds. The Smoky Mountains receives $12 million every year, Yellowstone receives about $22 million a year.

If you look at the recreational fee demonstration project, the Smokies keeps about $900,000 a year; Yellowstone has about $5.4 million a year that it is able to keep. If you look at Yosemite, Yo-

semite has about a third the number of visitors. It receives one and one-half more than the Smoky Mountains receives in appropriated funds and it receives about $10 million and keeps about ten times as much as the Smokies is able to keep in the park in terms of the user fee, the recreational user fee there. Yosemite receives about $9.8 million and again the Smokies keeps about $900,000.

The Grand Canyon, which has about half the number of visitors, receives about one and one-half times what the Smokies does in appropriated funds and in user fees keeps about $15 million, whereas the Smoky Mountains again, only $900,000.

These differences when you chart them out are obvious, and there are lots of different reasons for that. But I think the uniqueness and why this bill is necessary is that the Great Smoky Mountains National Park by law cannot collect an entrance fee, by law, because of the way it was set up 60 years ago. The deeds basically say you cannot charge an entrance fee. It puts it at a great disadvantage.

Senator Thompson has formed with a number of us the Great Smoky Mountains National Park Caucus, which has been an excellent means whereby members of the Tennessee and North Carolina delegations can work together to find solutions to specific and unique needs of the park.

Mr. Chairman, in 1910, Teddy Roosevelt said: "A Nation behaves well if it treats its natural resources as assets which it must turn over to the next generation increased and not impaired in value." Roosevelt was the first proponent of what has clearly become a fundamental tenet of the preservation of our national parks and in this case the Great Smoky Mountains National Park.

I believe we do owe it to future generations of Americans to allow this invaluable national treasure to benefit from its own popularity, which surpasses that of any other national park, including accessibility, and to keep more of the revenues from the recreation fee demonstration program, which has been very successful to date. We can thus help ensure that it will continue to offer the services and facilities that so many millions of families enjoy, which I had the advantage of enjoying last week, and will help guard one of our Nation's most precious legacies.

Mr. Chairman, I will leave with you an updated version of the bill, which specifically the limitations of the fee demonstration program and specifies purposes for which the park may use the funds collected. Again, the purpose of this bill is to allow the Great Smoky Mountains to keep, rather than just 80 percent of the recreation fee demonstration program fees, to be able to keep 100 percent within the park.

Mr. Chairman, I thank you for the opportunity to present this bill to you.

Senator THOMAS. All right. Thank you very much, Senator.

Is there any likelihood of changing the deed restriction or any effort to do that?

Senator FRIST. There really is not. The nature of the park is quite unique in that this really was thousands and thousands of small farms and pieces of land that were put together 65 to 70 years ago, and in a consistent fashion promises were made and

deeds were signed with this restriction. There is little likelihood, I think, in the near future that that can be changed.

Senator THOMAS. Are there any friends of the park groups or things like that that seek to raise private funds?

Senator FRIST. The Friends of the Smokies which I mentioned, which is very much in support of this bill, has done an outstanding job under the leadership of a gentleman by the name of Charles Maynard. They have been in support both of this bill and also have, in terms of private funding, their own fundraising activities and boxes within the park. All of that money does stay within the park. A very good working relationship with the park supervisors as well.

Senator THOMAS. Apparently there are two parks that would be affected by your bill. The Lincoln Home is the other one.

Senator FRIST. That is correct. The bill basically reads that who would be affected would be those units at which entrance fees or admission fees cannot be collected. It just so happens that the Great Smoky Mountains is the only national park where you cannot by law charge an entrance fee. But in addition, the Lincoln Home National Historic Site is the only other unit in the National Park System which cannot collect an entrance fee, due to a deed restriction.

Senator THOMAS. It would be affected by this?

Senator FRIST. It would be affected as well.

Senator THOMAS. Senator Bumpers.

Senator BUMPERS. Just one or two questions.

Senator Frist, the Park Service, of course, as you know, is opposed to this. Two of the reasons I think that they say they are opposed to it is that they have other parks similarly situated which cannot collect entrance fees either, just as the Great Smokies cannot. That may be both because it is impractical or because there is a restriction against collecting entrance fees.

Secondly, they say that of the 20 percent—and to set the record straight for the committee in case it is not clear, we are talking about a split of 80-20. All the user fees from campsites, all that sort of thing, of course are collected in the Great Smokies. Not only is there a restriction, but in parks like that it becomes a logistical difficulty in collecting entrance fees.

But in any event, of the user fees, campsites, all of those things, 80 percent of that is retained by the Great Smokies, just as it is in all other parks, and the other 20 percent goes to the National Park Service to be allocated at the discretion of the Secretary.

I think the Park Service is going to testify today that they put an inordinate amount, close to an amount equal to that 20 percent, back into the Great Smokies. Now, it seems to me that it is possible, and I would appreciate your comments. As I understand, your user fees are about $1.2 million a year; is that correct?

Senator FRIST. That is correct.

Senator BUMPERS. So 20 percent of that would be close to $300,000.

Senator FRIST. That is correct.

Senator BUMPERS. So they say they are putting quite a bit, an inordinate amount, much more so than most parks, back into the Great Smokies out of the 20 percent that is at the Secretary's dis-

cretion. It would be possible, would it not, that you are faring better? For example, if the Park Service takes the position, if you are going to keep all your user fees we are not going to give you any of the discretionary money back. And it might be possible that you would wind up a loser in this.

I would like you to comment on that, if you will, as well as on how would you answer the Park Service when they say there are a lot of parks similarly situated, and once you break this barrier, once you set this precedent, what do you say to those parks?

Senator FRIST. I think both points are well taken and could be argued. I think, with regard to the latter, I cannot predict what the Park Service will do. But you are exactly right. When I paid $15 for my campsite the other day, $12 stays under the demonstration fee program in the park and the other $3 goes to the Park Service to distribute how they would like outside of the park.

How they decide to spend that, I do not know and will not have any control over. I would be very hopeful that if this bill passes that they do not just subtract that amount. It does mean an additional $300,000 to the park to the $900,000 of the $1.2 million that they are likely to collect, and that is significant. It is significant when, if you look at the overall appropriations, that the Great Smoky Mountains had twice the visitors of anybody else, but receive in the amount we appropriate overall less than half to any other park around. The Smokies receives—not less than half. About 30 percent.

The Smokies has twice the visitors, but receives half of what Yellowstone receives in appropriated amounts, about two-thirds of what Yosemite receives, and about two-thirds of what Grand Canyon receives in the large appropriated accounts.

We are basically reaching out to get a little bit more money here, given the fact that we have the most visited national park but we receive less than anybody else through the normal process. That is why we want to take advantage of this demonstration program, which has been very, very successful.

The first point, in terms of the response, we will just have to talk to the parks and let us hear what they say, the Park Service says today. It is true that the Smoky Mountains—there are only two out of the 100 units or 150 units who by deed restriction cannot charge an entrance fee. Your point and the point that I am sure they will make is that there are other parks who do not charge an entrance fee because it is difficult, either the way the roads are coming in or the roads are going out or you have to put a booth up or it will destroy the environment.

But they could, and if they wanted to or if they so chose to they could. The Smoky Mountains has no option. We have got $6 million backlog in trails with no option. We do not give them the money, the U.S. Congress does not. The most visited national park, twice what any other park in the country has; we are not giving them the money through the appropriated accounts, and therefore we are reaching out to take this little tiny small step because of this deed restriction.

That is the case that we are making. It is a unique situation and it is one we would like to remedy. We feel we have a responsibility to remedy it, given the visitation there and where we are in terms

of infrastructure that is a backlog, that there has been no other response to.

Senator BUMPERS. If I can get everybody around this table to help me on the space station, I will give you a billion dollars. How is that?

[Laughter.]

Senator THOMAS. We are getting out of control here.

Senator Campbell.

Senator CAMPBELL. Well, I guess we are all aware that every park in the country has a shortfall for acquisitions and upgrading trails, the whole thing. We have some in Colorado, Mesa Verde and Rocky Mountain National Park and so on, and they face the same thing. I worry a little bit that it might set some precedent and next year we will have park groups from all over the country in here wanting also to keep the 100 percent rather than the 80-20 split.

But I did want to ask a little bit about, because I do not know anything about it, Senator, and that is the deed restrictions. Does that mean when it was deeded as a national park from private owners and so on it was put into the deeds that they could never charge a gate fee?

Senator FRIST. That is correct. And it is not 10 or 15; there are thousands of these.

Senator CAMPBELL. Thousands of them. So that cannot be changed, because that would what, reverts back?

Senator FRIST. I do not know. Legally, I do not know legally what it would take, in terms of, the way the park was put together was really piecemeal going out onto farms and having people agree.

Senator CAMPBELL. I see.

That was my only question, Mr. Chairman.

Senator THOMAS. Senator Akaka.

STATEMENT OF HON. DANIEL K. AKAKA, U.S. SENATOR FROM HAWAII

Senator AKAKA. Thank you, Mr. Chairman.

Thank you, Senator Frist, for your plea here. I have no doubt about your commitment to the Great Smoky Mountains National Park and what you are trying to do to help the situation there.

Mr. Chairman, I just wanted to recognize Senator Frist's great support for the park overflights legislation, which impacts Smoky Mountains, too. The bill was just reported out of the Commerce Committee, I know. I have been working on this issue for many years and helped Senator McCain in fashioning that bill. I want to thank you for your help on this matter.

Senator Campbell has also supported the park overflights bill. I appreciate his support, and hope we can continue to work together on this issue.

Thank you, Mr. Chairman.

Senator FRIST. Thank you.

Senator THOMAS. Thank you, Senator. We look forward to taking action on your bill.

Senator FRIST. Thank you.

Senator THOMAS. I do not see any other members here at the moment. So Senator Bumpers, would you care to comment on yours?

STATEMENT OF HON. DALE BUMPERS, U.S. SENATOR FROM ARKANSAS

Senator BUMPERS. Mr. Chairman, S. 2232 would designate Central High School in Little Rock as a national historic site. In 1957, which is long before the memory of most people in this audience, Central High was the site of the first real test of desegregating public schools in the South following the Supreme Court's *Brown* v. *Board of Education* decision. I have said and I believe firmly that it is the biggest, most serious constitutional crisis we have had in this country since the Civil War.

While the Supreme Court's decision is surely one of the most important decisions in the century in my opinion, the implementation of that decision has an even greater national significance. While the events at Central High were very contentious in 1957, the eventual successful resolution of it served as a catalyst for the desegregation of other public schools in the South, and today Central High School stands as a symbol of that success.

Establishment of the Little Rock Central High National Historic Site will for the first time provide the Park Service with the opportunity to interpret for all Americans the complete history of the desegregation of our public schools, certainly one of the most important social events in the history of our country. Designation of Central High School as a national historic site has broad bipartisan support in Arkansas.

My bill and the identical House companion measure sponsored by Congressman Snyder is co-sponsored by every member of the Arkansas delegation. The proposal has the support of the Little Rock School District, the city of Little Rock, Central High Museum, Inc., which built and operates the existing visitors center, and the local neighborhood association.

Mr. Chairman, you will be glad to know that the process we followed for studying and designating Central High School is consistent with the provisions in S. 1693, the parks management bill, which recently passed the Senate by unanimous consent.

Last year, language was included in the Interior appropriations bill directing the Park Service to prepare a suitability and feasibility study to assess whether Central High School would be an appropriate addition to the National Park System. Although the final report will not be formally transmitted to Congress until the end of the summer, the study itself has been completed.

The study will show without question that Central High is nationally significant and is appropriate for designation as a national park unit. The school has already been designated as a national landmark by the Secretary of the Interior and both the school and surrounding neighborhood are listed on the National Register of Historic Places.

I think it is important to note that, although the bill designates Central High as a national historic site, the school will not be administered as a traditional park area. Central High will continue as a functioning high school, administered by the Little Rock School District. The school district and not the Park Service will continue to have full responsibility for the operation and maintenance of the school.

While the Park Service will have a very important role in providing interpretation for the site, it will do so, though, in partnership with the school and local organizations.

The bill makes clear that the designation of the school as a national historic site will not interfere with the operation of the school. I understand the Park Service has suggested language to emphasize even more strongly that Central High will continue to be operated under local authority, which is certainly consistent with our intent.

Mr. Chairman, designation of Central High School as a unit of the park system will not involve significant Federal funding. Little land acquisition is contemplated. Most of what is proposed will be donated by the Central High Museum and Visitors Center.

Finally, I want to recognize two individuals who we will hear from shortly: Rett Tucker, the president of the Central High Museum, one of our finest young citizens in Little Rock. Rett and his organization have done a spectacular job of raising significant private funding to build and operate a visitors center and museum across the street from Central High. As the Park Service has acknowledged, Central High Museum will be a vital partner in the future operation of the park.

I am very pleased that Ernie Green is able to be with us today. Ernie now lives in Washington and was one of the Little Rock Nine students in 1957. Those nine students and their poise in the midst of a crisis situation were an inspiration to America. I have introduced legislation to award them the Congressional Gold Medal, and it is my strong hope that the bill will be enacted this year. It is already on the calendar in the Senate.

Ernie has always spoken very eloquently about those events in 1957 and their impact on his life, and I look forward to hearing from him in a few minutes.

I am pleased the Park Service will testify in support of S. 2232. I hope we will be able to report it out of committee and passed by the Senate in the very near future.

Just as a personal addendum to what I just said, I was just a young practicing lawyer in Charleston, Arkansas, and I was trying a lawsuit in Paris, Arkansas, in Logan County, which is about 18 miles from my home town. Mr. Chairman, I cannot with mere words adequately describe the holy terror that existed in my State. The rest of the country can never know what was going on in our State and how traumatic it was for all of us.

I was trying this lawsuit on the third floor of the courthouse and about 10 o'clock that morning the day after President Eisenhower federalized the Arkansas National Guard to take the National Guard out from under the control of Governor Faubus, who had used National Guard troops to block a Supreme Court decision, all of a sudden I hear this rumbling noise outside the courthouse.

I got an opportunity to look at the window, and trucks, all kinds of vehicles from Fort Chaffee, which was just 18 miles from my home, were rolling down Highway 22 to Little Rock to provide logistical support for the 101st Airborne, which had just moved in the night before.

If you have never really thought about this country being torn asunder, believe you me, all of those things went through my mind,

as it did all the people in Arkansas. It was a terrifying time, but it had a happy final resolution. It is time, of course, that we recognize that.

The study done by the Park Service is an excellent study and of course fortifies what I have always believed, that it should be a part of the National Park System.

I thank you very much, Mr. Chairman, for holding this hearing this afternoon.

Senator THOMAS. Thank you, Senator.

Senator Akaka, did you have a statement, please?

Senator AKAKA. Thank you very much, Mr. Chairman. I appreciate your holding this hearing for several parks bills, including the one that I am proposing. I really introduced S. 2129 with my colleague Senator Danny Inouye. The bill would enable the Park Service to expand Hawaii Volcanoes National Park.

I would like to join you in welcoming today's witnesses and particularly Mr. Shaddox, the representative of the Park Service.

Mr. Chairman, S. 2129 will give the Park Service the authority to use appropriated funds to buy a 2,000 acre tract of land on the southern boundaries of the park that is privately held by a local recreational company, Hawaii Outdoors, Incorporated. The parcel has significant environmental, cultural, biological, and scenic value. The area we are looking at is one of the most remote and unspoiled in Hawaii. The land is primarily volcanic in nature. Extensive lava flows cover the area and a wide geological rift runs down the western side.

Grasses and brush sparsely cover the upland portion of the area and the land is crisscrossed with ancient Hawaiian trails that lead to lava caves that were once used by Hawaiians as dwellings and religious sites.

Purchase of the area would allow the Park Service to preserve these sites as well as attempt to restore the native vegetation, including the pili grass that has been eaten by feral goats and supplanted by alien plants.

The parcel also comprises about two miles of coastline, a prime nesting site for the hawksbill and green sea turtle and other marine species. The Park Service is already working with the Fish and Wildlife Service to manage this nesting grounds and would expand these activities once the area is incorporated in the park. In addition, the two agencies hope to work together to reintroduce the native monk seal to the area.

It is my understanding that if the Park Service can acquire the property it will be managed as a wilderness, just as the park lands adjacent to the property are.

I thank you again, Mr. Chairman, for including this on the agenda today. The bill represents a great opportunity to preserve a magnificent piece of land for future generations. I look forward if there is any testimony and ask that my full statement be included in the record.

Senator THOMAS. Without objection.

Senator BUMPERS. Mr. Chairman, if I may have an additional 30 seconds to make what is almost a self-serving statement. One of the reasons I was terrified was because my little home town of Charleston, Arkansas, population of about 1,200 in 1957, had very

quietly integrated its schools in the fall of 1954. It was the first school in the entire South, of all the eleven Confederate States, it was the first school to integrate after the Brown decision in May 1954.

It had been done quietly, in a dignified way, and it was working beautifully. We had a few schools that would not let our band participate and would not play us in football and some of those things.

But I was on the school board at the time we integrated, of course, and I knew what was going to happen. I knew that Governor Faubus had given a great deal of comfort and strength to the forces that were sort of undercover in my home town, but I knew they were going to all come out. And they did, and we had a knock-down, drag-out election the following March after the integration crisis in Little Rock that preceding fall. Two or three board members had resigned because it was so hot.

In any event, the forces of moderation won by about a vote of, oh, I would say 65 percent. One thing that Governor Faubus had done for us, he had taught us that nobody wanted to go through what Little Rock had gone through. I do not think everybody voted for me because I was handsome. They just did not want Charleston to go through what Little Rock had gone through, and we won handily, and it has worked out beautifully for us ever since.

I must say, as you perhaps know, Mr. Chairman, Charleston, this year, has a provision in the Interior appropriations bill that will name Charleston as a national commemorative site. I am very pleased that before I leave the Senate I can give them some of the recognition I have always felt they deserved.

Senator THOMAS. That is very interesting. Recognition because of this integration activity?

Senator BUMPERS. Yes.

Senator THOMAS. That is great.

Mr. Shaddox, where are you? These other witnesses are fairly short. I would like to do them first and have you clean up. Would that be all right?

Mr. SHADDOX. Fine.

Senator THOMAS. Why then do we not call Mr. Tucker, if you please. And Mr. Green, why do you not join him at the table if you would like. You are both on the same issue, I believe.

Mr. Tucker.

STATEMENT OF EVERETT TUCKER III, PRESIDENT, CENTRAL HIGH MUSEUM, INC.

Mr. TUCKER. Mr. Chairman, my name is Everett Tucker and I serve as president of Central High Museum, Inc. I am pleased to be here today to speak in favor of S. 2232.

In 1957 in Central High School, for the world at large this date and place will always be associated with the good name of Little Rock, Arkansas. It symbolizes a defining moment in the history of all Americans. It was there that the efforts of nine courageous African-American children to enter all-white Central High led to an historic confrontation between President Dwight Eisenhower and Governor Orval Faubus and in its resolution fulfillment of the Constitution's promise of equality of rights under the law for all people.

It was there that civil rights legends such as Thurgood Marshall, Wiley Branton, and Daisy Bates rose to prominence. It was also there that television news came of age, as industry giants such as John Chancellor, Howard K. Smith, Harry Reasoner, and Mike Wallace reported the daily events in Arkansas to the American people.

The 1957 integration crisis at Little Rock Central High has been categorized by *Ebony Magazine* as one of the ten most dramatic events in African-American history. *Time Magazine* recently named it one of the 100 most significant events of the twentieth century.

For most of the four decades following the crisis, with continued national interest, the people of Little Rock and Arkansas for the most part chose not to deal with the legacy of 1957. Many wanted to sweep it under the carpet. Still others hoped it would be forgotten.

With encouragement from Senator Dale Bumpers, a new generation of leadership made the decision not to hide from it or run from it any longer, but to deal with it and even embrace it. In 1995, a diverse group of Arkansan formed Central High Museum, Inc., to empower, inform, enlighten, and challenge people by documenting, interpreting, and discovering the history of 1957 and its context. The board immediately took action to develop and operate an interpretive visitors center in a former Mobil service station across the street from the high school.

In a unique partnership with the State of Arkansas, the city of Little Rock, the Little Rock School District, the Central High Neighborhood Association, and the University of Arkansas at Little Rock, this private nonprofit corporation raised $800,000 from over 600 donors to restore the gas station and install an award-winning exhibit. At the same time, with the leadership of Arkansas Governor Mike Huckabee and Little Rock Mayor Jim Daley, plans began to take shape to commemorate the fortieth anniversary of the 1957 crisis and show the world that Little Rock is a different place today.

Media representatives from all over the world descended on Little Rock for the commemorative activities last September, including speeches by Senator Bumpers and Senator Tim Hutchinson at the opening of the visitors center. The highlight of the week was the ceremony which took place in front of Central, today a highly successful desegregated urban public high school, and featured major addresses on race relations by President Bill Clinton and Governor Huckabee.

All nine members of the Little Rock Nine attended and were welcomed back to Little Rock with open arms—a stark contrast to 1957. Following the speeches, President Clinton, Governor Huckabee and Mayor Daley symbolically held open the doors of the nationally recognized school for the Little Rock Nine as thousands in attendance cheered their approval.

The story led the national news on all the major networks that evening, just as the original events had in September 1957. The people of America are still fascinated with this story. There is much to be learned from it—civil rights, the sovereignty of the Federal Government, the strength and courage of nine children to overcome seemingly insurmountable odds, and the emergence of

television as the primary means of communication with the American people. The significance is immense and should be passed on to generations of Americans yet unborn.

Since September, people from all 50 States and 33 foreign countries have visited the site.

As a national historic site, this story can be much better preserved and interpreted by the National Park Service. Consequently, Central High Museum, Inc., is offering to transfer its ownership of the visitors center, which has operating reserves in the bank and no debt, to the National Park Service. Furthermore, we would like to see the boundaries of the site expanded to include the visitors center and two adjacent properties. One is where a commemorative sculpture garden is being planned, the other would provide room for additional parking, especially for tour buses.

The aforementioned partners want to remain in partnership with the National Park Service and Central High Museum. Additionally, the classic, architecturally acclaimed school building, with over 100 classrooms and numerous entrances, lends itself to being a part of the interpretive story. It is possible that several classrooms could be partitioned from the balance of the school building and utilized as exhibit space with a separate entrance, so that operation of the school would not be disrupted in any way.

This bill does not seek funds for the school building or for operations of the school. What this bill will accomplish is to preserve for all time one of the most multifaceted and uniquely important stories in American history and one of the world's 100 most significant events of the twentieth century.

Thank you, Mr. Chairman. I am available to answer any questions.

Senator THOMAS. Thank you very much, Mr. Tucker.

Do you want to introduce Mr. Green?

Senator BUMPERS. Mr. Chairman, first of all I want to compliment Rett. That was a beautiful statement. You summarized it perfectly.

And to say secondly, and I think this is in the category of stories that can be told, Ernie Green is perhaps the best known name along with Elizabeth Eckford of the Little Rock Nine, but I told Ernie this story before. One time Governor Faubus came into my office right after I came to the Senate, and he was living in Houston at the time and he had started a little economic development consulting firm there. He wanted me to help with the Labor Department to get them to give a grant which he had applied for.

I talked to him at length about it and finally I said—Ernie, incidentally, was Assistant Secretary of Labor at that time. I said: Who are you dealing with? He said: Ernie Green. I am going to have to tell you the rest of the story. I said: How are you going to handle it? And he said: Well, I am trying to convince him I saved his life.

[Laughter.]

Senator THOMAS. Welcome, Mr. Green.

STATEMENT OF ERNEST GREEN, MANAGING DIRECTOR, LEHMAN BROTHERS

Mr. GREEN. Mr. Chairman, thank you very much, and Senator Bumpers. It is a pleasure to be here.

I come in support of S. 2232 with my colleague Rett Tucker, and as one of the nine students certainly that September I would have, if anybody had told me that I would be before the Senate asking support of a bill to make this part of the Park Service, I would have said you were out of your mind.

I and the other eight students certainly, as all Americans did, saw it as a role that we were supposed to play, to simply get an opportunity to have the best education that Little Rock had to offer.

This week I celebrate with my colleagues the fortieth reunion of the Class of 1958. They are meeting in Little Rock this weekend to observe that. I think it is important for the future Americans to be able to look at these road marks, important road marks along the way that have helped expand and make this a great country that it is, expand opportunity for all Americans.

I think that the historic site Central High School would underscore that, would make it possible for a young kid that in 1957 who used to pass Central High School every day, either going past the stadium, delivering newspapers, wondering what was going on inside that huge building that encompassed two full city blocks, and that when the 1954 Supreme Court decision was handed down I, like every other young person, saw this as an important change in America. I wanted to play a part of it and, lo and behold, I had an opportunity to play a small role in the history of Little Rock.

Now it turns out, Rett tells me that it has gone beyond Little Rock. We celebrated last September, which was really a high point for all of us, recognition by the President, the Governor, the mayor, and all the citizens of Little Rock welcoming back to Little Rock Central.

I think the symbolism of that is very important and it really represents the distance which we have come in this country. Obviously, there is still a task in front of us, but if you look at the distance we have traveled from September 1957 to September 1997 we have made some strides. I think this would help continue to make that process move along.

So I rise in support of this and thank you very much for allowing me to speak on it.

Senator THOMAS. Thank you very much.

Just as a matter of interest, how did it happen to be those particular nine? Are you the ones that just volunteered to go to school, or how did that happen?

Mr. GREEN. Well, the history of it is that there were more than nine students selected by the school board. We were the Little Rock School District—and Rett—we could have a whole history lesson on Little Rock here. He has some connection to the school board through his father. But we were transfer students, asked in the spring of 1957 whether we were interested in attending Central High School. There was a certain self-selection that went on. There were more than nine African-American students selected.

As I said back in September, it really was the strength of our parents, because they believed that we belonged there. So the nine of us sort of selected ourselves after the school board selected us. The biggest surprise to me was that there were only nine of us.

But we bonded. I think the group, whenever we get together, we always revert back to being 15 and 16 again. But more importantly, we really found that this had tremendous impact beyond that year in school, and I think we all learned tremendous lessons from it.

Senator THOMAS. That is very interesting. Thank you so much for being here.

Senator BUMPERS. I have no questions, Mr. Chairman.

Senator THOMAS. Thank you, gentlemen. We appreciate it very much.

Mr. Robinson is next.

STATEMENT OF TOM ROBINSON, DIRECTOR OF GOVERNMENT AFFAIRS, GRAND CANYON TRUST

Mr. ROBINSON. Mr. Chairman, members of the subcommittee: I appreciate this opportunity to speak in favor of the proposal to expand Arches National Park by adding the system of canyons collectively referred to as "Lost Spring Canyon."

The Grand Canyon Trust, a regional conservation group with offices in Flagstaff, Arizona, Moab, and St. George, Utah, believes that this legislation, S. 2106, will significantly enhance Arches by adding 3,140 acres of biologically rich and scenically spectacular canyons that should always have been part of the park. We consider several provisions of the bill to be noteworthy conservation gains.

First, experience at national parks throughout the system has demonstrated difficult unforeseen problems that arise when administrative boundaries do not coincide with natural ones. This bill redraws the Arches boundary around all the canyons draining into the park from the northeast and establishes a boundary based on the ecosystem, rather than an abstract grid. Long-term management of this priceless place should be much more coherent as a result.

Second, the legislation provides a mechanism to retire livestock grazing from these fragile desert wetland areas. The Grand Canyon Trust and the National Parks Foundation have been negotiating with the grazing permittee and we are pleased to announce that we have signed a willing seller-willing buyer agreement to permanently remove cattle from the canyons upon passage of the bill. Benefits to rare riparian habitats and marshes should be profound as the area heals from decades of heavy grazing.

Third, a section of State trust land lying within the BLM wilderness study area at the head of Fish Seep Draw will be exchanged for a parcel of BLM land in a known oil and gas area northwest of Moab. In this arrangement, an unusable asset of the School Trust on which any development poses a treat to irreplaceable wild lands will be converted to a potentially valuable asset in an already developed area.

The Grand Canyon Trust is well aware that some of our conservation colleagues would prefer to see these canyons and the up-

lands of Dome Plateau and Winter Camp Ridge designated as BLM wilderness area. We agree that such protection is highly desirable for uplands of this unit. However, with well-known canyons pressed against a national park and listed in every guidebook, canyons that can be reached by a short hike from the Delicate Arch parking lot with its half million annual visitors, BLM wilderness designation is not the best management regime.

Clearly, the largest current impact to the area is from grazing, which the park expansion proposal addresses and which wilderness designation does not. The largest future impact, park expansion notwithstanding, will be from human recreational use, which the National Park Service is specifically organized to manage.

This bill will make management of the area more effective. Much of the canyons system is already part of the Arches and most easily accessed from the park. In contrast, access for BLM personnel requires a 55-mile one-way trip from Moab, half on dirt roads, at the end of which one is still atop the vertical canyon rim, hundreds of feet above the canyon floor.

The sensible way to consolidate management is to add all the canyons to the park, as this bill proposes. We are glad that the Park Service has pledged not to build roads or campgrounds in the area and that the area will be incorporated into the National Park Service wilderness recommendation for the park.

This bill was developed through a very open process and was shaped by good suggestions from all sides. The result is a straightforward proposal to significantly improve one of America's best loved national parks, and we hope you will support it.

Thank you.

Senator THOMAS. Thank you very much. That seems like a reasonable thing.

Any questions, gentlemen?

Senator BUMPERS. No questions, Mr. Chairman.

Senator THOMAS. Thank you.

All right, sir. Thank you for waiting. Mr. Shaddox, Acting Associate Director, Professional Services, National Park Service. We are interested in your reaction. Much of this has already been gone over. If you wanted to kind of summarize, feel free to do that.

STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 2232

Mr. SHADDOX. Thank you. Thank you for the opportunity to testify today. I ask that our written statements be made part of the public record.

Senator THOMAS. They shall be.

Mr. SHADDOX. Thank you.

Mr. Chairman, would you prefer that I go through all of the statements at once or stop in between for questions?

Senator THOMAS. Why do you not take one at a time, and if there are questions. For instance, on this first one, much of this background we have already been over.

Mr. SHADDOX. Right.

Mr. Chairman, I would like to start with the national historic site in Arkansas, the Little Rock School. In 1997, Congress directed

the Park Service to prepare a special resources study to determine the suitability and feasibility of designating the high school as a unit of the National Park System. That study should be completed by September 1998. Many of the comments and recommendations we make in this testimony evolve from the findings of that study.

S. 2232 establishes the site as a national historic site. The site would be administered by the Secretary of the Interior in accordance with the bill and the laws generally applicable to units of the National Park System, provided that nothing in the bill would affect the authority of the Little Rock School District to administer the high school.

[The prepared statement of Mr. Shaddox on S. 2232 follows:]

PREPARED STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 2232

Mr. Chairman, thank you for the opportunity to appear before the committee to testify on S. 2232, a bill to establish the Little Rock Central High School National Historic Site in Arkansas, and for other purposes. We support enactment of this bill with the amendments outlined in our testimony.

Little Rock Central High School is a symbol of the end of racially segregated public schools in the United States. The high school provided the backdrop for the first important test for implementation of the Supreme Court's *Brown* v. *Board of Education* decisions. The admission in 1957 of nine black students to Central High School drew national and international attention, and was the first fundamental test of the nation's resolve to enforce black civil rights in the face of significant public defiance. In recognition of the importance of Central High School in the history of the United States, the site was designated a National Historic Landmark in 1982. In 1996, the surrounding neighborhood was listed on the National Register of Historic Places because of its association with the events of 1957 and because of its architectural characteristics and qualities.

In 1997, Congress directed the National Park Service to prepare a special resources study to determine the suitability and feasibility of designating Central High School as a unit of the National Park System. That study should be completed by September 1998. Many of the comments and recommendations we make in this testimony evolve from findings of the study.

S. 2232 establishes Little Rock Central High School as a National Historic Site. The purpose of the bill is to preserve, protect, and interpret for the benefit, education, and inspiration of present and future generations the high school and its role in the integration of public schools and the development of the Civil Rights movement in the United States. The site would consist of lands and interests therein comprising the Central High School campus in Little Rock, Arkansas. The site would be administered by the Secretary of the Interior in accordance with the bill and with the laws generally applicable to units of the National Park System, provided, that nothing in the bill would affect the authority of the Little Rock School District to administer Central High School.

The bill directs the Secretary to coordinate interpretation of the historic site with the Little Rock School District and the Central High School Museum Board and to consult and coordinate with the Little Rock School District in the development of a general management plan and in the administration of the historic site. The bill authorizes acquisition of property within the historic site with the consent of landowners, and limits acquisition of lands owned by the State of Arkansas or a political subdivision thereof to a donation or exchange. Finally, the bill directs preparation of a National Historic Landmark Theme Study on the history of desegregation in public education.

Various organizations and agencies in the Little Rock area already are working to preserve the resources of Central High School and are attempting to provide public educational opportunities to learn about the school's stories. The Little Rock School District maintains Central High School in generally good condition and provides limited visitor access to the building. Central High Museum, Inc., operates a visitor center across from the school. The visitor center and its displays are very well done, and provide a sound introduction to the importance of the site in our nation's history. However, funds to operate this visitor center are limited, and it is uncertain to what extent the facility will be able to continue to be accessible to the public. Further, little is being done to ensure comprehensive preservation of the his-

toric fabric of the school, the surrounding neighborhood, and other buildings related to the important events of 1957.

Existing local efforts provide a solid foundation from which a viable national historic site can be created. We believe the most effective means to protect the site's historical resources, to interpret the site for public understanding and enjoyment, and to administer the site is through a partnership framework that includes the National Park Service, Little Rock Public Schools, Central High Museum, Inc., the City of Little Rock, and others.

Under such a framework, we believe the most appropriate roles for the National Park Service are (1) facilitating of site management by promoting partnerships and by convening meetings and encouraging dialogue between partners to make decisions and to achieve mutual goals; (2) developing and leading a comprehensive interpretive program; (3) developing and implementing a volunteer program to support the site; (4) providing historic preservation assistance to Little Rock Schools, the City of Little Rock, and neighborhood residents and property owners to ensure long-term preservation of cultural resources and landscapes; and (5) working with partners to recruit additional public and private sector support for the site and to pursue sources of additional funds and resources to supplement and expand site programs and objectives.

We do not envision a role in matters related to the operation of the high school, nor in maintenance or capital improvements to the school or any other structures within boundaries of a NHS. We do not envision a role that would usurp the City of Little Rock's responsibilities for public health and safety or for land use management and controls. Finally, we do not envision that the National Park Service would serve as a traditional land manager at Central High School. We anticipate the need to acquire little, if any, property, and would not seek regulatory authority (other than for the minimal property we might own in fee). We suggest that any property that might be desirable for NPS ownership be identified with public involvement in association with a general management planning process.

In accordance with these visions, we recommend amending section 2(b) of the bill to read:

> The Secretary of the Interior shall administer the historic site in accordance with this Act. Only those lands within the site under the direct jurisdiction of the Secretary shall be administered in accordance with the provisions of law generally applicable to units of the National Park System. Other lands within the historic site shall be administered under existing State and local laws. Nothing in this Act shall affect the authority of the Little Rock School District to administer Little Rock Central High School, nor shall this Act affect the authorities of the City of Little Rock in the neighborhood surrounding the school.

This change makes clear that the National Park Service would not be a traditional land manager at the site, and that existing State and local authorities will continue to be primary guidance for administration of the site.

We also recommend section 2(d) be amended to read:

> Within three years after the date funds are made available, the Secretary shall prepare a general management plan (hereinafter "plan") for the historic site. The plan shall be prepared in consultation and coordination with the Little Rock School District, the City of Little Rock, Central High Museum, Inc., and with other appropriate organizations and agencies. The plan shall identify specific roles and responsibilities for the National Park Service in administering the historic site, and shall identify lands or property, if any, that might be necessary for the National Park Service to acquire to accomplish its roles and responsibilities. The plan also shall identify the roles and responsibilities of other entities to partner in administering the historic site and its programs. The plan shall include a management framework that ensures the administration of the historic site does not interfere with the continuing use of Central High School as an educational institution.

Section 2(e) can then be deleted and succeeding sections renumbered. This change makes clear the importance of local partners in ensuring efficient and effective management of the historic site. Extending the time period for preparation of the general management plan from two years to three years will allow for the necessary, extensive coordination with potential partners and with the public.

Based on decisions made through the general management planning process, it may be desirable to include properties outside the Central High School campus within the national historic site. For example, Central High Museum may need to be added to the boundary if planning identifies the National Park Service as the most appropriate entity to manage the facility. Ponder's Drug Store was an important site during the September 1957 incidents at the high school. That facility may hold potential for interpretation or administrative use. And vacant lots across from

the high school may be desirable for additional parking or other support facilities. Therefore, we recommend amending section 2(a) after "Central High School campus" by inserting "and the adjacent properties." The adjacent properties depicted on the referenced map would be limited to the vacant lots at the intersection of Park and 14th Streets, the Central High Museum property, and the Ponder's Drug Store building.

We are pleased the bill includes provisions for a National Historic Landmark theme study. We would have preferred to conduct such a study before considering designation of Central High as a historic site. However, conducting the study in association with the general management plan will allow us to identify other important sites in the movement to provide for racial desegregation in public schools and to identify possibilities to create linkages between those sites, Central High School, and other National Park Service sites such as Brown v. Board of Education National Historic Site. Preparation of the theme study provides an opportunity to identify opportunities and mechanisms by which the National Park Service may cooperate with other entities to preserve and interpret key sites in the history of desegregation in public education. With our recommended amendments, we strongly support S. 2232.

Mr. Chairman, this concludes my remarks. I would be happy to answer any questions you may have.

Senator BUMPERS. Mr. Shaddox, in the interest of time, with the chairman's indulgence, let me just say I have read your statement and your recommendations on the changes in the bill and I agree with all of them. Unless the chairman has some other comment, we can go on past that one then, since we are in agreement on it.

What do you say?

Senator THOMAS. Your statement will be in the record.

Mr. SHADDOX. Thank you.

Senator THOMAS. I just have one question. Someone mentioned in their testimony perhaps the addition of the visitors center and some additional land. How is that done? Do you anticipate buying land?

Mr. SHADDOX. Mr. Chairman, we anticipate buying a minimal amount of land if needed for parking purposes and what-not. There are two vacant lots adjacent to the school that we could possibly be interested in, depending on the plan.

There has already been some mention of a donation of museum property. Those three properties in particular, if the site was established, we would be interested in.

Senator THOMAS. Good. Thank you.

Senator BUMPERS. Thank you, Mr. Shaddox. What is the next one?

Senator THOMAS. Why do you not go right ahead here.

STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 2129

Mr. SHADDOX. So we are done with Little Rock. Thank you.

I would like to address Hawaii Volcanoes if possible. This is a fairly short statement, Mr. Chairman. The enabling legislation for Hawaii Volcanoes National Park allows the Secretary of the Interior to acquire lands contiguous to the park for the purpose of rounding out the park. The enabling legislation, as already mentioned, allows us to only use donated funds to acquire lands for this purpose.

S. 2129 would give the Secretary authority to use appropriated funds to acquire the specific parcel already mentioned that is contiguous to the southwest corner of the park. This piece of land is

about 1,950 acres and contains significant natural and cultural resources. The land has been cited in several NPS planning documents as being worthy of inclusion in the park and it has substantial archaeological resources.

This legislation is necessary because the land is threatened by commercial development.

Senator BUMPERS. Mr. Shaddox, I am not only getting old, I am getting hard of hearing. Could you speak just a little louder, please.

Mr. SHADDOX. Let me get a little closer.

This legislation is necessary because this land is threatened by commercial development. Recent proposals to construct a civilian space launch facility and a geothermal energy development facility on nearby land show how attractive this land is to the private sector. Such development of this land would prevent the public from enjoying its special nature.

The land is presently owned by an individual who has indicated he would willingly sell it to the National Park Service.

It is important to note, however, that this bill would not by itself make this land part of Hawaii Volcanoes National Park. Under the terms of the parks enabling act, only when title to the land is vested in the United States does the land become part of the park. In this case it would occur upon conveyance of land to the U.S. Government.

This land is in the process of being appraised at this time by our staff and it has been advertised in the local real estate market for $3.5 million.

That concludes my statement on Hawaii Volcanoes.

[The prepared statement of Mr. Shaddox on S. 2129 follows:]

PREPARED STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 2129

Thank you for the opportunity to present the position of the Department of the Interior on S. 2129, a bill to eliminate restrictions on the acquisition of certain land contiguous to Hawaii Volcanoes National Park, and for other purposes. The Department of the Interior supports this bill.

The enabling legislation for Hawaii Volcanoes National Park allows the Secretary of the Interior to acquire lands contiguous to the park for the purpose of "rounding out the park." The enabling legislation presently allows the Secretary to use only donated funds to acquire lands for this purpose. S. 2129 would give the Secretary the authority to use appropriated funds to acquire a specific parcel of land that is contiguous to the southwest corner of the park.

This parcel of land is approximately 1,950 acres, and contains significant natural and cultural resources. It is clearly defined by the prominent geographical feature of the "Great Crack" to the west, and makes up a logical continuation of the park's coastal and dry land environment. The land has been cited in several NPS planning documents as being worthy of inclusion into the park. The area has substantial archeological resources, including terraces, house sites, salt drying areas, shelters, wells, and lava tubes, that pre-date the arrival of Europeans to the Hawaiian Islands. It is also an area of substantial seismic and geological activity. Most of the land was covered by the Keiwa lava flow during the eruption of Kailauea in 1823.

This legislation is necessary because this land is threatened by commercial development. Recent proposals to construct a civilian space launch facility and a geothermal energy development facility on nearby land show how attractive this land is to the private sector. Such development on this land would prevent the public from enjoying its special nature. The land is presently owned by an individual who has indicated he would willingly sell it to the National Park Service. It is important to note, however, that this bill would not by itself make this land part of the Hawaii Volcanoes National Park. Under the terms of the park's enabling act, only when title to the land is vested in the United States does the land become part of the park. In this case, it would occur upon the conveyance of land from Mr. Fujiyama

to the U.S. government. This land is in the process of being appraised. It has been advertised on the real estate market for $3,500,000.

This concludes my statement. I would be pleased to answer any of your questions.

Senator THOMAS. So under this bill, if it passed and you acquired the land, then it would automatically become—this authorizes it to become part of the park on its acquisition?

Mr. SHADDOX. That is correct.

Senator THOMAS. What is the size of the current park generally? I do not know. Is it large? What does 1,900 acres do to the total of the existing park?

Mr. SHADDOX. It is a fairly large park. We can provide the exact acreage for the record, but I believe it is around 50,000 acres or so. It is a small piece of land in comparison.

Senator THOMAS. I see.

Senator AKAKA. Mr. Chairman, the park encompasses 230,000 acres.

Mr. SHADDOX. I am sorry.

Senator AKAKA. And ranges from sea level to the summit of the Earth's most massive volcano, Mount Mona Loa.

Senator THOMAS. Wow. Is it getting bigger because it is near the volcano?

Senator AKAKA. Well, it goes uphill. But it is a huge area.

Senator THOMAS. I have no further questions.

Senator BUMPERS. I have no questions, Mr. Chairman.

Senator THOMAS. Thank you.

Senator AKAKA. Mr. Chairman.

Senator THOMAS. Yes, sir?

Senator AKAKA. Mr. Shaddox, what priority would you expect the Park Service to assign to the acquisition of this parcel?

Mr. SHADDOX. We would probably rank it fairly high on our priority ranking process. It would be processed through the western region and, depending on what their other acquisition needs were for the coming year or the next year appropriation as to where it would be placed priority-wise. But I would expect it would be fairly high.

Senator AKAKA. Do you know of any opposition?

Mr. SHADDOX. I do not know of any opposition at this point.

Senator AKAKA. The 1978 Volcanoes Wilderness Area Act designated the parcel as a proposed wilderness.

Mr. SHADDOX. Correct.

Senator AKAKA. Should the land be acquired, would it be automatically designated as a wilderness area or will this require further congressional or administrative action?

Mr. SHADDOX. It would require further congressional action. We would study it for inclusion in a wilderness area. But we would manage it as a wilderness area if we purchase it.

Senator AKAKA. As you know, I authored legislation some years ago to require the Park Service to study the feasibility of adding the Alakaha Kai, the ancient native Hawaiian footpath that rings the Big Island, to the National Trails System. I understand that an initial draft of the report recommends that Alakaha Kai be designated as a national historic trail.

How would acquisition of the parcel bear on efforts to acquire, preserve, and manage the Alakaha Kai should it receive Federal recognition?

Mr. SHADDOX. The acquisition of this property would enhance the trail. It would help preserve the features that the trail hopes to interpret. I think there is about two and a half miles of the trail on the property. So it would enhance that.

Senator AKAKA. Thank you very much, Mr. Chairman.

Mr. SHADDOX. Thank you.

Senator AKAKA. I have no further questions.

Senator THOMAS. All right, sir. Thank you.

You know, one of the dilemmas that we all have, of course, is we want to take those places that qualify as parks and have virtues. Nevertheless, we are short of money. Now, is there any notion of what it would cost to add, and operate this after it is added?

Mr. SHADDOX. The park tells me that the operating cost would be minimal.

Senator THOMAS. Minimal.

Mr. SHADDOX. It is basically a wilderness area now.

Senator THOMAS. I see.

Mr. SHADDOX. It is very pristine.

Senator THOMAS. So it is more a preservation function?

Mr. SHADDOX. Yes. Yes, sir.

Senator THOMAS. I see.

Very well. How about this last one here, Land and Water Conservation Fund amendment?

Mr. SHADDOX. Do you want to do Arches first?

Senator THOMAS. Oh, okay. Whatever.

Mr. SHADDOX. It helps in my book.

Mr. Chairman, we support the—let me just rephrase that. LWCS is fine with me if that is okay with you.

Senator THOMAS. Whatever. I am confusing you and me, too. So go ahead.

STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 1333

Mr. SHADDOX. I am trying to stay on track here.

Mr. Chairman, as I mentioned before, we oppose this bill amending the Land and Water Conservation Fund Act. As the committee is aware, the Park Service is currently involved in a recreational fee demo program. The program provides the Park Service with broad authority for the administration and retention of these fees, both admission and user fees. The Park Service retains 100 percent of all recreation fees collected at each fee demo project, with 80 percent of the fees remaining at the collecting park for use at that unit.

Currently, the project is limited to 100 projects. Pending legislation that has passed the Senate and is under discussion in the House that would expand this fee demo program to allow all units of the National Park System to participate in that program.

The fee demo program provides the authorities necessary for units that have deed restrictions on admission fees to retain other fees in a fair and equitable manner to all other units participating

in the program. As mentioned before, there are only two units in the Park Service System that have deed restrictions, Great Smokies and Lincoln Home National Historic Site. Singling out these parks for special authority goes against the work that has been done both under the recreational fee demo program and other initiatives that are aimed at removing special treatment of one unit over another.

The aim of fee legislation has been to remove restrictions and to provide as much flexibility as possible in the setting and administration of fees, while at the same time providing authority to retain the majority of recreation fee revenue at the units where it is collected.

One could argue that units with deed restrictions on imposing entrance or admission fees lose out because they cannot benefit from these fees. There are numerous units of the Park System that do not have deed restrictions; however, due to other reasons, the imposition of entrance or admission fees is infeasible. Therefore, they are not in a position to benefit from these fees.

Because we are still in the midst of the recreational fee demo program, it is inappropriate to tinker with one element of the LWCF fund regarding recreation fees. The question of deed restrictions should be addressed in our review as mandated by the fee demo program and any recommendation for changes in legislation should be part of the total package of changes recommended for permanent fee legislation.

Allowing all units of the system to participate in the fee demo program would ensure that all units with deed restrictions could take advantage of the broader authorities authorized under the demonstration program.

S. 1693 that passed the Senate and is pending before the House would broaden the fee demo program to all parks. We support enactment of that legislation and feel that it does fairly and equitably address the needs of both parks with and without deed restrictions on admission and entrance fees.

This concludes my prepared statement.

[The prepared statement of Mr. Shaddox on S. 1333 follows:]

PREPARED STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 1333

Mr. Chairman, thank you for the opportunity to appear before the subcommittee to present the Department of the Interior's views on S. 1333, a bill which would amend the Land and Water Conservation Fund Act of 1965 to allow units of the National Park System not permitted to charge entrance or admission fees to retain other fees and charges. In amending the Land and Water Act the bill would add a new subsection to Section 4(i)(1) and would allow units of the National Park System that have deed restrictions which prohibit the collection of entrance or admission fees to retain 100% of all other fees and charges. Such receipts would be available to the Secretary without further appropriation for use at the unit where collected. Mr. Chairman, the National Park Service opposes enactment of this legislation and finds it unnecessary.

As the Committee is well aware, the National Park Service is currently involved in the Recreational Fee Demonstration Program. The demonstration program provides the National Park Service broad authority for the administration and retention of recreation fees, both admission and user fees. The National Park Service retains 100% of all recreation fees collected at each fee demonstration project, with 80% of the fees remaining at the collecting park for use at that unit. Currently, the program is limited to 100 projects. Pending legislation that has passed the Senate and is under discussion in the House would expand the fee demonstration program

to allow all units of the National Park System to participate in the program. The fee demonstration program provides the authorities necessary for units that have deed restrictions on admission fees to retain other fees in a fair and equitable manner to all other units participating in the program.

Currently, there are only two units of the National Park System that have deed restrictions that prevent charging entrance or admission fees, Great Smoky Mountains National Park and Lincoln Home National Historic Site. Great Smoky Mountains National Park is a fee demonstration park while Lincoln Home is not. Singling out these parks for special authority goes against the work that has been done both under the Recreational Fee Demonstration Program and other initiatives that are aimed at removing special treatment of one unit over another. The aim of fee legislation has been to remove restrictions and to provide as much flexibility as possible in the setting and administration of fees while at the same time providing authority to retain the majority of recreation fee revenue at the units where it is collected.

One could argue that units with deed restrictions on imposing entrance or admission fees lose out because they cannot benefit from such fees. There are numerous units of the National Park System that do not have deed restrictions; however, due to other reasons, the imposition of entrance or admission fees is infeasible. Therefore, they are not in a position to benefit from such fees.

Because we are still in the midst of the recreational fee demonstration program, it is inappropriate to tinker with one element of the Land and Water Conservation Fund regarding recreation fees. The question of deed restrictions should be addressed in our review as mandated by the fee demonstration program and any recommendation for changes in legislation should be part of the total package of changes recommended for permanent fee legislation. Allowing all units of the National Park System to participate in the fee demonstration program would ensure that all units with deed restrictions could take advantage of the broader authorities authorized under the demonstration program. S. 1693, that passed the Senate and is pending before the House, would broaden the fee demonstration program to all parks. We support enactment of that legislation and feel that it fairly and equitably addresses the needs of parks both with and without deed restrictions on admission and entrance fees.

This concludes my prepared statement. Thank you for the opportunity to testify on this matter. If I can answer any questions regarding this legislation, I will be happy to do so at this time.

Senator THOMAS. I understand what you are saying. Let us go on to say it is hopefully expanded to all parks. It is true that some will not, for various reasons, be able to. Golden Gate Recreation Area, for example, probably never will collect fees. On the other hand, there are only two, apparently, that have deed restrictions.

Maybe any park that is unable to collect an entry fee should be able to keep 100 percent of their inside user fees.

Mr. SHADDOX. Mr. Chairman, we feel that the authority that is envisioned in the legislation would address that through the ability of us to fund shortfalls that we see in any park unit through the 20 percent holdback.

Senator THOMAS. This is kind of a tough issue. It is unique for these parks, at least, to have that legal restriction that keeps them from collecting entrance fees. So I do not know. It is a tough one.

Senator.

Senator BUMPERS. Mr. Shaddox, last year the park turned back $260,000. They collected, according to the staff, they collected $1.2 million in user fees. They were able to keep $960,000, so they sent $240,000 back to the National Park Service, to the fund that the Secretary has discretion over, correct?

Mr. SHADDOX. Correct.

Senator THOMAS. Can you tell me how much of the total that went to the secretarial discretion fund last year went back to the Great Smoky Mountain National Park?

Mr. SHADDOX. I do not have those.

Senator BUMPERS. Could you get that for the committee?

Mr. SHADDOX. I can get it for the committee.

Senator BUMPERS. It would be interesting to know.

Mr. SHADDOX. Yes.

Senator BUMPERS. As I pointed out to Senator Frist, it might be that you sent more back than they sent in. Certainly, if they were going to be allowed to keep the extra 20 percent, I am inclined to think they should not be eligible then for any part of the 20 percent contingent fund. Otherwise you really are going to have a difficult fight on your hands.

Mr. SHADDOX. That is right.

Senator BUMPERS. I do not think they intend that. I do not think the bill says anything about that, does it?

Mr. SHADDOX. No.

Senator BUMPERS. As you say, Mr. Chairman, this is a knotty problem. We all want to accommodate our colleagues. I talked to Senator Thompson and Senator Frist both about this. You recall we had a conversation on the floor about this.

Senator THOMAS. Yes.

Senator BUMPERS. And I want to be helpful and I want to be supportive and I understand the problem. Of course, there is some argument about it, whether Hot Springs National Park is the first park ever established. I think Yellowstone might have been the first one, but people in Arkansas like to think Hot Springs is the first national park.

But obviously, we cannot collect entrance fees either. All we get is user fees, and those user fees in essentially a city park like Hot Springs do not amount to all that much. The needs there are almost desperate.

So obviously, if we are going to do this I am inclined, as you say, Mr. Chairman, to take all those parks that cannot charge admission fees and see if we cannot help them, too.

I have no further questions, Mr. Chairman.

Senator THOMAS. Senator Akaka.

Senator AKAKA. No further questions.

Senator THOMAS. Well, we will have to ponder this.

Now, as I understand it, in its present form the Park Service opposes this bill?

Mr. SHADDOX. Correct.

Senator THOMAS. Do you have any recommendation for change or do you just oppose it?

Mr. SHADDOX. We would prefer to abide by the pending legislation and go on with our demo fee project as envisioned. We feel that gives us plenty of flexibility to address these needs.

Senator THOMAS. But then you would take the 20 percent that comes from others and help these people out, is that it?

Mr. SHADDOX. Right, correct.

Senator THOMAS. Because the pending legislation is not going to change their deed restriction.

Mr. SHADDOX. Right, that is correct.

Senator, your question as to funding that went back to the parks?

Senator BUMPERS. Yes.

Mr. SHADDOX. For Lincoln Home, in 1997, $30,000 went back to the park; and Great Smoky, $30,000.

Senator BUMPERS. Wait a minute, Mr. Shaddox. What about Lincoln Home? What did you say?

Mr. SHADDOX. $30,000 went back to the park.

Senator BUMPERS. Out of the 20 percent contingency fund?

Mr. SHADDOX. Right.

Senator BUMPERS. $30,000 went back?

Mr. SHADDOX. Right.

Senator THOMAS. That is Lincoln Home. That is to Lincoln Home.

Senator BUMPERS. No, I wanted to know about the Great Smokies.

Mr. SHADDOX. The Great Smokies, we have got about $30,000 that went back out of the 20 percent matching funds in 1997.

Senator BUMPERS. So that they sent you $260,000 and you sent $30,000 back, is that right?

Mr. SHADDOX. Right. But these parks will be eligible for more funding in 1998 and 1999.

Senator BUMPERS. Do you know of any justification for doing this only for the Great Smokies? I mean, is there something there other than the fact that they have a lot of visitors? Of course, it is a highway essentially running through the Smokies, is it not? Is that not what it amounts to?

Mr. SHADDOX. Correct.

Senator BUMPERS. Can you think of any justification for the Great Smokies being treated differently from other parks similarly situated?

Mr. SHADDOX. None.

Senator BUMPERS. I have no further questions.

Senator THOMAS. All right, what do we have, one more? Did we put the Arches off?

Mr. SHADDOX. We put the Arches off.

Senator THOMAS. Okay.

Senator BUMPERS. I am leaving. There is no controversy on that one.

Senator THOMAS. Do we want to go back to Yellowstone being first?

Senator BUMPERS. I did not bring that up for debate here today, but we will take that up later.

[Laughter.]

STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 2106 AND H.R. 2283

Mr. SHADDOX. Mr. Chairman, this is a fairly short statement. We support this bill if amended to address our concerns as outlined in the testimony.

Arches National Monument was designated by presidential proclamation in 1929 and was enlarged by proclamation three times, established as a national park in 1971. The park's purpose is to protect one of the largest concentrations of natural stone arches in the world. The park encompasses 73,379 acres, of which 63,581 are recommended for wilderness designation.

If enacted, S. 2106 would expand the boundaries of the park, located in Grand County, by approximately 3,140 acres. There are

some school lands in the unit that has been previously discussed. A successful exchange is envisioned to take out the State and make BLM whole as well.

Where permits currently exist, grazing practices would be protected within the addition for the lifetime of the permittees and their direct descendants. However, the bill provides for grazing permits in the addition to be purchased and retired prior to expiration, and we would hope, and as was mentioned before, that a conservation buyer would be located to complete this transaction after the bill becomes law.

The operation and management of a natural gas pipeline within the area would not be affected and will continue uninterrupted under National Park Service guidelines.

The area known as the Lost Spring Canyon has been discussed periodically since the eighties and the Park Service completed a resource assessment of the area in 1984 as part of a statewide BLM wilderness study. The area contains upstream portions of the canyon system known as Upper Salt Wash, tributaries, and several side canyons. The lower portion of the canyon already exists within present boundaries.

The proposed addition is a logical extension of the park and it is a good example of canyons within the area, domes, alcoves, amphitheaters. It contains seven documented arches, including Covert Arch, and freshwater springs and seeps as well.

The Lost Spring Canyon addition is contiguous to the park's northeast corner and shares a common boundary with the park. The proposed boundary identified in the legislation would follow geographic lines rather than arbitrarily drawn lines. This geographic boundary is a natural extension and encompasses most of the canyon system. Using these canyon rims as boundaries would make it easier for park visitors and users to determine their location and provide a logical separation between park activities and multiple use activities.

The Lost Spring Canyon addition is accessible by foot from existing trailheads and parking areas and many visitors to this area already access it from Park Service facilities. Much of the canyon system is visible from several high-use areas of the park, including the Delicate Arch trail.

The proximity of the Lost Spring Canyon addition to the park allows for cost effective management and park staff and facilities are already in place.

Remote and unroaded, the Lost Spring Canyon addition will provide a back country experience currently uncommon in Arches National Park. Most of the proposed addition is managed by BLM as a wilderness study area. The Park Service intends to protect this area's wilderness values and actions such as road and campground construction will not occur. Most of the addition, with the exception of the pipeline corridor, would be incorporated into the wilderness recommendation for Arches National Park.

We do not plan nor do we anticipate the need for road construction in the area. It is expected that additional trails may be necessary to provide access.

Representatives of the community and local government support the proposal, as have editorials in several local and State news-

papers. With the provision for the State school land exchange, the State of Utah also expresses its support.

The addition of these lands to Arches would enhance the experience of visitors and provide expanded protection and tell the powerful story of the forces and impact of time and weather on the face of the Earth.

In reviewing the legislation, BLM has provided comments to us on sections of the bill which would require clarification or correction. They have requested that a new section be added to the bill that states that the Park Service will manage the portion of the acquired lands that are currently within the wilderness study area to protect its wilderness values—we intend to do that—and that this protection remain in place unless the area is released from the requirements of section 603(c) of the Federal Land Policy Management Act.

They have also requested that section 2(c) be reordered and that section 8(a) of the bill be revised to clarify whether the title transfer of State lands occurs when the Secretary accepts the State offer or if the title transfer occurs at the time of conveyance of Federal lands to the State after all administrative actions have been completed.

There are three technical corrections which will need to be made in the bill. Two of the corrections were identified in our testimony on H.R. 2283. The third is the result of one of the differences between the House and Senate versions of the legislation. The recommended amendments are:

Section 8(d) references deadlines for completion of the exchange. It duplicates previous subsections and the legal description of the Federal parcel to be conveyed to the State in section 8(b)(2) is incorrect and should be rewritten.

We also believe that the revision of section 5(a) should be taken a step further so that it identifies and is more inclusive of the legal authorities under which the National Park Service presently operates.

We recommend section 5(a) to be amended to read as follows: "The Director of the National Park Service, under the direction of the Secretary, shall administer, protect, and develop the park in accordance with the provisions of law generally applicable to units of the National Park System, including the act entitled 'An Act to Establish a National Park Service, and for other purposes,' approved August 25, 1916."

We are pleased to work with the subcommittee to provide specific language to address all these issues, and that completes my remarks concerning this bill.

[The prepared statement of Mr. Shaddox on S. 2106 and H.R. 2283 follows:]

PREPARED STATEMENT OF WILLIAM D. SHADDOX, ACTING ASSOCIATE DIRECTOR FOR PROFESSIONAL SERVICES, NATIONAL PARK SERVICE, ON S. 2106 AND H.R. 2283

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before you to address S. 2106, a bill to expand the boundaries of Arches National Park by adding an area known as the Lost Spring Canyon Addition. This legislation builds on legislation introduced in the House, H.R. 2283. That legislation has been amended and referred to the Senate. We support this bill, as we did the House bill, if it is amended to address our concerns as outlined below.

Arches National Monument was designated by presidential proclamation in 1929, enlarged by proclamation three times, and established by Congress as Arches National Park in 1971. The park's purpose is to protect one of the largest concentrations of natural stone arches in the world. The arches and numerous extraordinary geologic features, such as spires, pinnacles, pedestals and balanced rocks, are highlighted in striking foreground and background views created by contrasting colors, landforms and textures. The park encompasses 73,379 acres, of which 63,581 acres are recommended for wilderness designation.

If enacted, S. 2106 would expand the boundaries of Arches National Park, located in Grand County, Utah by approximately 3,140 acres. With the exception of a 32-acre parcel of Utah School and Institutional Trust Lands, the land is owned by the Bureau of Land Management (BLM). An exchange agreement will need to be reached between the state of Utah and BLM to transfer the state school section now located within the addition. The state would receive another BLM section of approximate equal value located elsewhere in the county. With this completed, all of the land within the addition would be in Federal ownership, and those BLM lands could then be transferred to the National Park Service.

Where permits currently exist, existing grazing practices would be protected within the Addition for the lifetime of the permittees and their direct descendants. However, the bill provides for grazing permits in the addition to be purchased and retired prior to expiration and we hope that a conservation buyer will be located to complete this transaction after the bill becomes law. The operation and management of the natural gas pipeline within the addition would not be affected and would continue uninterrupted under National Park Service guidelines.

The area known as the Lost Spring Canyon addition has been discussed periodically since the 1980s. The National Park Service completed a resource assessment for the area in 1984 as part of a statewide BLM wilderness study. The area contains the upstream sections of the canyon system known as Upper Salt Wash, its tributary Lost Spring Canyon, and several side canyons. The lower portion of the canyon system is already within present park boundaries. The proposed addition is a logical extension of the park since the upper and lower canyons are of the same outstanding quality and comprise an obvious geographic unit. It is an intricately eroded system of multi-colored Entrada sandstone canyons with high walls, arches, domes, alcoves, and amphitheaters. It contains seven documented arches, including Covert Arch. There are nearly vertical, narrow slickrock canyon walls, several hundred feet high. Some of the canyon bottoms contain lush riparian areas. Freshwater springs and seeps are also present.

The Lost Spring Canyon addition is contiguous with the park's northeast corner, and shares a common boundary with the park. The proposed boundary, identified in the legislation, would follow canyon rims and natural forms instead of section lines and other manmade features. This geographic boundary is a natural extension of the park and encompasses most of the incised canyon system. Using canyon rims as boundaries will make it easier for park visitors and public land-users to determine their location, and will provide a logical separation between park activities and values and adjacent multiple-use activities.

The Lost Spring Canyon addition is accessible by foot from existing park trailheads and parking areas. Many visitors to this area already access it from National Park Service facilities. Much of the canyon system is visible from several high-use areas of the park, including the Delicate Arch Trail, Devils Garden Campground and the park road. The proximity of the Lost Spring Canyon addition to the park allows for cost-effective management. Park staff and facilities are already in place.

Remote and unroaded, the Lost Spring Canyon addition will provide a backcountry experience currently uncommon in Arches National Park. Most of the proposed addition is managed by BLM as a Wilderness Study Area (WSA). The National Park Service intends to protect the area's wilderness values, and actions such as road or campground construction will not occur. Most of the addition, with the exception of the pipeline corridor, would be incorporated into the wilderness recommendations for Arches National Park. We do not plan, nor do we anticipate the need for, road construction in the area. It is expected that additional trails may be necessary to provide access.

Representatives of the community and local government support the proposal, as have editorials in several local and state newspapers. With the provision for the State School Lands exchange, the State of Utah has also expressed its support.

The additions of these lands to Arches National Park would enhance the experiences of visitors and provide expanded protection of these unique geologic resources that tell the powerful story of the forces and impact of time and weather on the face of the earth.

In reviewing the legislation, the BLM has provided comments to us on sections of the bill which require clarification or correction. They have requested that a new section be added to the bill that states that the National Park Service will manage the portion of the acquired lands that are currently within the Lost Spring Canyon Wilderness Study Area to protect its wilderness values, and that this protection will remain in place unless the area is released from the requirements of Section 603(c) of the Federal Land Policy and Management Act of 1976 by an act of Congress. They have also requested that section 2(c) be reworded to state that the National Park Service will administer the portion of the grazing permit transferred to the park, and that section 8(a) of the bill be revised to clarify whether the title transfer of State lands occurs when the Secretary accepts the State's offer, or if the title transfer occurs at the time of conveyance of Federal lands to the State after all administrative actions have been completed.

There are three technical corrections which will need to be made in the bill. Two of the corrections were identified in our testimony on H.R. 2283. The third is a result of one of the differences between the House and Senate versions of the legislation. The recommended amendments are: Section 8(d) references deadlines for completion of the exchange that duplicates previous subsections, and the legal description of the Federal parcel to be conveyed to the state in section 8(b)(2) is incorrect and should be rewritten. We also believe the revision of Section 5(a) should be taken a step further so that it identifies, and is more inclusive of the legal authorities under which the National Park Service presently operates. We recommend Section 5(a) be amended to read as follows: The Director of the National Park Service under the direction of the Secretary shall administer, protect and develop the park in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled An Act to establish a National Park Service, and for other purposes, approved August 25, 1916.

We would be pleased to work with the subcommittee to provide specific language to address all of these issues. That completes my remarks, Mr. Chairman. I would be happy to answer any questions that you may have.

Senator THOMAS. Thank you very much. We appreciate that and we appreciate you waiting until the others had testified and so on. I want to put in the record the statement of Senator Hatch on the Arches.

[A prepared statement of Senator Hatch follows:]

PREPARED STATEMENT OF HON. ORRIN HATCH, U.S. SENATOR FROM UTAH

Mr. Chairman, I appreciate the opportunity to say a few words in support of S. 2106, the Arches National Park Expansion Act, which I have cosponsored with Senator Bennett. As you know, a version of this measure, sponsored by Congressman Chris Cannon, has been passed by the House of Representatives.

This legislation does not call for a major transformation of Arches National Park; rather, it supplements what is already an outstanding park in Utah. With passage of this legislation, the boundaries of the park will better conform to the naturally occurring boundaries. Currently, the park is defined by arbitrary lines.

Visitors to Arches National Park understand why S. 2106 is important. A visit to Arches is a sojourn in a desert paradise. Upon entering the park, one is instantly impressed by the grandeur of towering red-rock cliffs, which act as a gateway to the natural treasures inside.

Within the park, delicate arches seem to defy the laws of physics. Canyons such as the Fiery Furnace conceal rich collections of natural wonders such as rock fins, honeycomb formations, half-formed arches, and pools. Arches also protects geologic formations and endangered plant species. Collectively, these elements form a unique ecosystem.

Arches draws tourists from all parts of the globe. On any given day, a variety of languages can be heard in the park, often by visitors enjoying their second or third visit to the site. As tourist numbers have risen in the area, the community, park rangers, and visitors alike have combined forces to protect the fragile balance of this desert ecosystem.

As you know, Mr. Chairman, Arches National Park is one of our country's crown jewels and deserves the improvements and modest enlargement we propose here today.

The new boundaries established by this legislation expand Arches National Park by 3,140 acres. This will include under the park's protection the scenic Lost Springs Canyon and a collection of important drainages which fall within the natural basin

of the park. As a result of this addition, these areas, currently controlled by the Bureau of Land Management and the State of Utah, will be consolidated and managed as a whole instead of by three separate entities.

This measure makes sense from both a management and environmental standpoint. I urge this committee to act swiftly to report out S. 2106. Once again, I want to thank you, Mr. Chairman, and the members of this committee for holding this hearing and considering this legislation.

Senator THOMAS. And a letter from Governor Mike Huckabee.

[The letter from Governor Huckabee follows:]

STATE OF ARKANSAS,
OFFICE OF THE GOVERNOR,
LITTLE ROCK, AR, JULY 8, 1998.

Hon. DALE BUMPERS,
Dirkson Office Building, Washington, DC.

Re: Senate Bill 2232

DEAR SENATOR BUMPERS: I have reviewed the Special Resource Study—Preliminary Findings and Alternatives Considered, for the Little Rock Central High Project.

I believe that Little Rock Central High as a National Historic Site, Alternative "C" would be the proper choice. We have the opportunity for a unique partnership from the federal level all the way down to the school and the neighborhood, that could result in a fascinating historical and educational site for our citizens and visitors. The resource is there as is the interest and the history. I would urge the National Park Service not to miss this opportunity.

If we can be of any assistance to you, please do not hesitate to call Eric Munson, Economic Development Liaison, at (501) 682-3635. Also, if Parks and Tourism can be of any assistance in helping to coordinate this effort, please feel free to contact us.

Sincerely yours,

MIKE HUCKABEE,
Governor.

Senator THOMAS. And also the mayor of the city of Little Rock.

[The letter from Mayor Daley follows:]

CITY OF LITTLE ROCK,
Little Rock, AR, July 2, 1998.

Hon. DALE BUMPERS,
Dirksen Senate Office Building, Washington, DC.

Re: Senate Bill 2232

DEAR SENATOR BUMPERS: The City of Little Rock supports the efforts of Central High Museum, Inc. to have Little Rock Central High School designated as a National Historic Site by the National Park Service. As Mayor, I acknowledge the need for a partnership between the National Park Service, Central High Museum Board, the Little Rock School District, the Central High neighborhood and the City to make this a reality. The City wholeheartedly supports this initiative.

As you are aware, Central High School was thrust upon the world stage during the events of 1957. Forty years later, it is still serving as one of the premiere high schools in our State and country, and as a symbol of the Civil Rights Movement. In 1995, Central High Museum, Inc. began work to develop a Visitor Center and Museum to collect, preserve and display items which chronicle the history of the school and particularly its role in the civil rights struggle of our country.

The City has been a willing partner in this effort and we will continue to fully support the Central High Museum Board in their endeavors to obtain National Park status for Central High.

Sincerely,

JIM DAILEY,
Mayor.

Senator THOMAS. Representative Hunt—Brown, I am sorry, Hunter Brown.

[The letter from Representative Brown follows:]

STATE OF ARKANSAS,
HOUSE OF REPRESENTATIVES,
Little Rock, AR, July 6, 1998.

Hon. DALE BUMPERS,
Dirksen Senate Office Building, Washington, DC.

Re: Senate Bill 2232

DEAR SENATOR BUMPERS: My Legislative District houses the Central High School area—an area that is being proposed as a National Park site. As per discussion, it is exciting to realize that such an historic area can be preserved for generations to come.

The community, as well as those who are interested in the growth of civil rights in our country, will be pleased when legislation is passed to designate Central High School as a National Park, making it eligible to receive all the benefits that are designated for preservation of a National Monument.

I therefore urge you to move forward with legislation and call upon Congress to move swiftly with this proposal.

I stand ready to assist you in any way possible.

Sincerely,

IRA HUNTER BROWN,
Representative.

Senator THOMAS. And also letters from the Office of the Superintendent of Public Instructions, Leslie Carnine, and the Office of the Chancellor of the University, Charles Hathaway, for the record, if you please.

[The letters from Ms. Carnine and Mr. Hathaway follow:]

LITTLE ROCK SCHOOL DISTRICT,
OFFICE OF THE SUPERINTENDENT,
Little Rock, AR, July 6, 1998.

Hon. DALE BUMPERS,
Dirksen Building, Washington, DC.

DEAR SENATOR: On behalf of the Little Rock School District Board of Directors, I would like to express our sincere appreciation for your support in having Central High School designated as a National Park site. This designation would enhance our commitment to preserve and protect this historic landmark, which will continue to provide a quality education for all children.

Central High School will continue to serve as a positive focal point for the future of the school district, the city, the State, and the Nation. Your lead in this effort is gratefully acknowledged.

Sincerely,

LESLIE V. CARNINE,
Superintendent of Schools.

UNIVERSITY OF ARKANSAS AT LITTLE ROCK,
OFFICE OF THE CHANCELLOR,
Little Rock, AR, July 2, 1998.

Hon. DALE BUMPERS,
Dirksen Senate Office Building, Washington, DC.

Re: Senate Bill 2232.

SENATOR BUMPERS: The University of Arkansas at Little Rock (UALR) has strongly supported the effort to make the Central High School site a place of significant historical and cultural education for all our nation. Very few events in this century, such as the one which took place at Central High School in Little Rock, have provided the focus to help shift the culture and policy of this Nation. Just as the event at Central High School offered our Nation an opportunity to confirm federalism and begin an important shift in racial attitudes, the developments surrounding this site offer to the future a profound historical perspective.

UALR has been a partner in the development of the Central High Visitor Center from the beginning. We have provided university grant funding as well as faculty and graduate student release time to assist in the development of the Center. Our faculty and graduate students in the public history program have served as impor-

tant resources not only for the Center, but also in the development of important materials on personalities and related sites involved in and leading up to this seminal conflict.

For example, the UALR public history program undertook, in conjunction with the alumni of Dunbar High School, the development of a traveling display of the history of Dunbar High School. This traveling exhibit tells the history of the only accredited "high school for colored boys and girls" in Arkansas. The exhibit recently received a national award.

Dr. Johanna M. Lewis, of our public history program, served as the director of the Center through the initial phases of operation. The Central High Museum Board chose to hire one of the graduate students of the UALR public history program as the permanent executive director of the Center.

We endorse the effort to bring national attention to the Central High School event of 1957 by involving the National Park Service in as complete a manner as possible to create a unique educational opportunity for all the Nation. While I cannot state in a specific manner at this time how UALR might be involved in a national park site development, we have demonstrated our commitment to this effort in the past, and we will continue this commitment.

We request that the National Park Service consider the University of Arkansas at Little Rock as a full partner in the development of the Central High School site. We stand ready to serve as needed.

Respectfully submitted,

CHARLES E. HATHAWAY,
Chancellor.

Senator THOMAS. If there is nothing further, the committee is adjourned. Thank you.

[Whereupon, at 3:23 p.m., the hearing was adjourned.]

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